

Protection

California Regional Water Quality Control Board

Santa Ana Region

Arnold Schwarzenegger

Governor

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AGENDA ANNOUNCEMENT

REGIONAL BOARD MEETING

Friday April 30, 2004 9:00 A.M.

Cucamonga Valley Water District

10440 Ashford Street Rancho Cucamonga

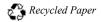
NOTICE

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list may do so, as follows: go to www.swrcb.ca.gov/rwqcb8 and choose "Subscribe to Electronic Mailing Lists" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date.

Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to www.swrcb.ca.gov/rwqcb8 and select the item of interest.

1. Introductions

- Public Forum (Any person may address the Board at the commencement of the meeting on any matter within the Regional Board's jurisdiction and not related to an item which is to be considered separately. The Regional Board Chair requests that each person addressing the Regional Board observe a five-minute time limit.
- 3. Approval of the minutes of the Regular Meeting of March 12, 2004. {Catherine A. Ehrenfeld 909/782-3285 cehrenfe@rb8.swrcb.ca.gov}
- 4. Consideration of Consent Calendar Items. (Items marked with an asterisk are expected to be routine and non-controversial. The Regional Board will be asked to approve these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the consent calendar, it will be taken up in the order shown.)



- *5. Waste Discharge Requirements, Boeing Realty Corporation, Boeing Integrated Defense

 Systems Pacific Gateway Business Center, Seal Beach, Orange County Waste discharge requirements authorizing the discharge of fill to waters of the State, including wetlands and ephemeral, excavated drainages that are not waters of the U.S.

 [Jun Martirez 909/782-3258 jmartire@rb8.swrcb.ca.gov] Order No. R8-2004-0049
- *6. Renewal of Waste Discharge Requirements for San Bernardino Valley Municipal Water

 <u>District, Pilot Dewatering Program, Riverside & San Bernardino Counties</u> Revised Waste

 Discharge Requirements for the discharge of extracted groundwater from the Bunker Hill Basin to
 storm drains tributary to either Reach 5, Reach 4, or Reach 3 of the Santa Ana River.

 {Jun Martirez 909/782-3258 jmartire@rb8.swrcb.ca.gov)
 Order No. R8-2004-0009
- *7. General Waste Discharge Requirements, (NPDES NO. CAG998002) Issuance of general waste discharge requirements for short-term groundwater-related discharges and de minimis wastewater discharges to surface waters within the San Diego Creek/Newport Bay Watershed. {Jun Martirez 909/782-3258 jmartire@rb8.swrcb.ca.gov} Order No. R8-2004-0021
- *8. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement Peter and Sandy Ulloa, 21246 Mazie Avenue, Perris, Riverside County, APN 345-220-047. {Jun Martirez 909/782-3258 jmartire@rb8.swrcb.ca.gov}
- *9. Update of Waste Discharge Requirements for California Street Landfill, City of Redlands,
 San Bernardino County Revised Waste Discharge Requirements for the California Street
 Landfill that incorporates all applicable State and Federal regulatory requirements and allows the
 landfill to expand beyond its currently permitted footprint.

 {Dixie Lass, 909/782-3295 dlass@rb8.swrcb.ca.gov}

 Order No. R8-2004-0008
- 10. Public Hearing, San Bernardino County Storm Water Permittees' Model Water Quality

 Management Plan (WQMP) The Board will conduct a hearing regarding the revised Model
 WQMP for implementing Best Management Plans (BMPs) at new developments and significant
 redevelopment projects in San Bernardino County, submitted by the permittees, as required
 under Order No. R8-2002-0012, the San Bernardino County MS4 permit. The Board will
 consider any unresolved significant issues regarding the WQMP and will provide direction to the
 Executive Officer regarding action on the WQMP.

 [Milasol C. Gaslan 909/782-4419 mgaslan@rb8.swrcb.ca.gov]
- 11. <u>Stormwater Quality Standards Task Force Status Report</u> Representatives of the Task Force will provide an introduction to the work to be conducted by the Task Force to consider revised bacterial quality objectives to protect water contact recreational (REC-1) uses of inland and estuarine surface waters within the Santa Ana Region. This review is a high priority on the Regional Board's Basin Plan Triennial Review priority list. The Task Force work will include consideration of whether changes to recreation-related beneficial uses and/or designations are also appropriate. The Task Force effort is expected to result in recommendations for appropriate changes to the Basin Plan. (information Item)

 {Mark Adelson 909/782-3234 madelson@rb8.swrcb.ca.gov}

- 12. Basin Plan Amendment Workshop Incorporation of Total Maximum Daily Loads

 (TMDLs) for Nutrients for Lake Elsinore and Canyon Lake The Board will conduct a public workshop to receive comments concerning a proposed amendment to the Water Quality Control Plan (Basin Plan) for the Santa Ana Region to incorporate TMDLs for nutrients in Lake Elsinore and Canyon Lake. No action on the proposed amendment will be taken. The Board will consider adoption of the proposed amendment, revised as necessary in response to comments, at a subsequent public hearing (information item).

 {Hope Smythe 909/782-4493 hsmythe@rb8.swrcb.ca.gov}
- 13. Mandatory Penalties Complaint Atlantic Richfield Company, Service Station at 5981

 Warner Avenue, City of Huntington Beach The Board will consider whether to affirm the proposed mandatory penalty complaint for violations of effluent limitations in Waste Discharge Requirements, Order No. R8-2002-0007, NPDES No. CAG918001.

 {Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov

 Mandatory Penalties Complaint No. R8-2004-0026

ifty Oil Company, former Station #372, 14472

14. Mandatory Penalties Complaint – Thrifty Oil Company, former Station #372, 14472

Brookhurst Street, Garden Grove — The Board will consider whether to affirm the proposed mandatory penalty complaint for violations of effluent limitations in Waste Discharge Requirements, Order No. R8-2002-0007, NPDES No. CAG918001.

[Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov]

Mandatory Penalties Complaint No. R8-2004-0025

15. Mandatory Penalties Complaint – ExxonMobil Refining & Supply Company, Service Station #18-668, 16230 Harbor Blvd., Fountain Valley — The Board will consider whether to affirm the proposed mandatory penalty complaint for violations of effluent limitations in Waste Discharge Requirements, Order No. R8-2002-0007, NPDES No. CAG918001, as amended by Order No. R8-2003-0085.

{Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov

Mandatory Penalties Complaint No. R8-2004-0038

- Administrative Civil Liability Complaint, Holliday Rock Company, Inc., Orange County—
 The Board will consider whether to affirm, reject or modify the proposed administrative civil liability assessment for violations of the General Permit for Storm Water Discharges Associated with Industrial Activity, Order No. 97-03-DWQ, NPDES No. CAS000001, proposed in Administrative Civil Liability Complaint No. R8-2004-0023. (This item was postponed from the March, 12, 2004 Board Meeting)

 {Mark Smythe 909/782-4998 msmythe@rb8.swrcb.ca.gov}

 Complaint No R8-2004-0023
- 17. Report on Newport Bay Bioaccumulation Study Southern California Coastal Waters
 Research Project Board staff will present a short summary of the preliminary results from a study conducted to assess the levels of bioaccumulative pollutants in fish collected from Newport Bay (information item).

 {Wanda Marquis-Smith 909/782-4468 wsmith@rb8.swrcb.ca.gov}

- 18. Rialto Environmental Assessment Partnership (REAP) Pyro Spectaculars, Inc., will summarize their proposal to form the REAP, in lieu of conducting the investigation and cleanup that would be required by Cleanup and Abatement Order No. R8-2004-0042. The Board will consider comments on the proposal from interested parties prior to its consideration of the Cleanup and Abatement Order for Pyro Spectaculars, Inc., below and may provide direction to staff (information item).

 {Ann Sturdivant 909/782/4904 asturdiv@rb8.swrcb.ca.gov}
- 19. Cleanup and Abatement Order, Pyro Spectaculars, Inc., Whittaker Corporation and
 Thomas O. Peters, San Bernardino County The Board will consider adoption of an order
 requiring the investigation and cleanup of perchlorate at an approximately five-acre parcel
 located at 2298 West Stonehurst Drive, Rialto.

 (Ann Sturdivant 909/782-4904 asturdiv@rb8.swrcb.ca.gov) Order No. R8-2004-0042
- 20. <u>Status Report on Rialto-Colton-Fontana Perchlorate Investigation</u> Staff will provide an update on the progress of investigation of perchlorate pollution in this area (information item). {Ann E. Sturdivant 909/782-4904 asturdiv@rb8.swrcb.ca.gov
- 21. Resolution Regarding Funding from the State Water Resources Control Board (SWRCB)

 Emergency, Abandoned and Recalcitrant Site Account The Board will consider a resolution supporting the acceptance of funds for underground storage tank sites from the SWRCB Emergency, Abandoned and Recalcitrant Site Account.

 [Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov]

Resolution No. R8-2004-0050

- 22. <u>Hazardous Waste and Sewage Spill Incident Report</u> Lists of such incidents will be provided as an information item to the Regional Board (information item). {Kurt V. Berchtold 909/782-3286 kberchto@rb8.swrcb.ca.gov}
- 23. <u>Underground Storage Tanks Site Closure Report</u> Regional Board Staff will provide to the Board a list of site closures that have occurred within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728(d) (information item). {Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov
- 24. <u>Underground Storage Tanks Corrective Action Plans</u> Regional Board Staff will provide a list of sites where Corrective Action Plans have been submitted within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728 (information item).

 {Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov}
- 25. Quarterly Violations Report A list of violations will be provided to the Board as required by the State Water Resource Control Board's Water Quality Enforcement Policy (information item). {Gary D. Stewart 909/782-4379} gstewart@rb8.swrcb.ca.gov}
- 26. <u>Executive Officer's Report</u> (information item). {Gerard J. Thibeault 909/782-3284 <u>gthibeau@rb8.swrcb.ca.gov</u>}
- 27. **Regional Board Member Communications** Board Members may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Regional Board's jurisdiction. There will be no voting or formal action taken.

28. **Closed Session:** At any time during the regular session, the Regional Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon evidence introduced during a hearing. Discussion of litigation is within the attorney/client privilege and may be held in closed session.

Authority: Government Code Section 11126 (a), (c)(3), and (e). Items which may be discussed in closed session by the Board include litigation related to:

- Stringfellow Hazardous Waste Site
- 2. Potential litigation: Discussion of Executive Officer's referral to the District Attorney of Clean Water Act violations for criminal prosecution.
- 3. Kwikset Corporation v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 391541.
- 4. Emhart Industries, Inc. v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 397528.
- 5. Yucaipa Glen LLC
- 6. Potential litigation: Cities of Rancho Cucamonga and Upland v. California Regional Water Quality Control Board, Santa Ana Region, and State Water Resources Control Board, Superior Court for San Bernardino County, Case No. RCV 071613.
- 7. Waste Discharge Requirements for the Rapid Infiltration and Extraction Facility (RIX).
- 27. **Adjournment** to the regular meeting June 4, 2004, at 9:00 a.m., at the City Council Chamber of Loma Linda

NOTICES

Any person who has a disability and requires special accommodation to participate in this Regional Board Meeting should contact Catherine Ehrenfeld at Cehrenfe@rb8.swrcb.ca.gov or at 909/782-3285 no later than ten (10) days prior to meeting.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act may do so by contacting Mark G. Adelson at (909) 782-3234.

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Internet Address: http://www.swrcb.ca.gov/rwqcb8

BOARD INFORMATION SHEET

BOARD MEMBERS

APPOINTMENT CATEGORY

Carole H. Beswick. Chair Fred M. Ameri. Vice-Chair

John B. Withers Jose J. Solorio

Seymour D. Van Gundy

Joan L. Dotson William Ruh Vacant Vacant

County Government Industrial Water Use

Water Quality

Municipal Government

Water Quality Water Supply

Jorge Leon

Recreation, Fish and Wildlife Undesignated (Public)

STAFF LEGAL COUNSEL

Irrigated Agriculture

STATE BOARD LIAISON

Peter S. Silva

REGIONAL BOARD SENIOR STAFF

Gerard J. Thibeault. Executive Officer

Kurt V. Berchtold, Assistant Executive Officer, Ombudsman

Joanne E. Schneider, Environmental Program Manager

Robert L. Holub, Supervising Water Resource Control Engineer

Michael J. Adackapara, Supervising Water Resource Control Engineer

Gary D. Stewart. Chief of Surveillance and Enforcement

Dixie B. Lass, Chief of Land Disposal

Steven D. Mavville. Chief of Dairies/Chino Basin

Wanda K. Smith, Chief of Basin Planning - Coastal Waters

Hope A. Smythe, Chief of Basin Planning - Inland Waters

Mark G. Adelson, Chief of Regional Planning Programs

Mark E. Smythe. Chief of Stormwater - Coastal

Milasol C. Gaslan, Chief of Stormwater - Inland

Jun Martirez, Chief of Regulations

Ann E. Sturdivant, Chief of SLIC/Department of Defense and Above Ground Tanks

Kenneth R. Williams, Chief of Pollutant Investigations

Dorothy Wolfinbarger, Regional Administrative Officer

Catherine Ehrenfeld, Staff Services Analyst

GENERAL STATEMENT

The primary duty of the Regional Board is to protect the quality of the waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality control plans for all ground and surface water bodies in the region and by prescribing and enforcing requirements on waste discharges. The specific responsibilities and procedures of the Regional Water Quality Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Control Act (Division 7, California Water Code).

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer. The Board and the staff welcome information on pertinent problems but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing one week before the scheduled meeting and only a summary of pertinent issues to be presented verbally. For each matter considered, relevant Regional Board files are incorporated into the record.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code Section 11500 et seq.

DISCLOSURE STATEMENT

All persons who actively support or oppose the adoption of waste discharge requirements or NPDES permits pending before the Regional Board, must submit a statement to the board disclosing any contribution of \$250.00 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his/her agent, within the last twelve months to any Regional Board Member.

Also, all permit applications and all persons who actively support or oppose adoption of a set of waste discharge requirements and/or NPDES permits pending before the Regional Board are prohibited from making contributions of \$250.00 or more to any Board member for three months following a Regional Board decision on the permit application.

RIGHT TO PETITION

Any person affected adversely by a decision of the California Regional Water Quality Control Board, Santa Ana Region (Regional Board), may petition the State Water Resources Control Board (State Board) to review the decision. The petition <u>must be</u> received by the State Board within thirty days of the Regional Board's meeting at which the adverse action was taken. Copies of the law and regulations applicable to filling petitions will be provided upon request to the Regional Board.

NOTE: The agenda items are numbered for identification purposes only and will not necessarily be considered in the order listed. The Public Forum item will be limited to one hour.

California Regional Water Quality Control Board Santa Ana Region 3737 Main Street, Suite 500 Riverside, CA 92501-3348

AGENDA ANNOUNCEMENT